

REMARKS

The specification has been amended to make editorial changes to place the application in condition for allowance at the time of the next Official Action.

A replacement drawing is submitted for Figure 16 consistent with the disclosure on page 19, lines 15-24.

Claims 1-27 are pending in the application. Applicants would like to thank the Examiner for indicating allowable subject matter in claims 13, 14, 17-22 and 24.

Claims 1, 7 and 27 are rejected as being anticipated by DOLE 6,634,008. This rejection is respectfully traversed.

Claim 1 provides a data-managing center, a designing center and a manufacturing center which are connected with a client via the Internet, wherein each of the centers uses information contained in the databases of the data-managing center and performs two-way communication with the client.

By way of example, page 8, lines 8-20 of the present application, disclose that data is exchanged between the client 1 and semiconductor manufacturer to progress manufacturing of ASICs. The semiconductor manufacturer includes three operation centers: a designing center 4, a manufacturing center 5 and a data-managing center 3. The manufacturing center 5 has a manufacture data file 50 that stores manufacture data file received from the designing center 4 and/or the client 1.

Accordingly, there is communication between each of the centers and the client.

Figure 2 of DOLE shows an in-house system 2501 connected to customer systems 2503 and 2505 through the Internet. As seen in Figure 2 and as disclosed in column 6, lines 11-26 of DOLE, the customer only interacts with web server 2507. There does not appear to be a direct communication between the customer and the design workstations or the factory 2515. In fact, there is a firewall between the in-house system 2501 and the customers 2503, 2505. Applicants contend that DOLE does not disclose two-way communication between the client and each of these centers as recited in claim 1. As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 7 and 27 depend from claim 1 and further define the invention and are also believed patentable over DOLE.

Claims 2-6, 8-12, 15, 16, 23, 25 and 26 are rejected as unpatentable over DOLE in view of DUDLE et al. 5,570,291. This rejection is respectfully traversed.

Claim 2 provides a data-managing center, a designing center and a manufacturing center. Each of these centers performs specific tasks based on manufacturing a semiconductor integrated circuit. Claim 3 provide a data-managing center and a

plurality of designing centers and a plurality of manufacturing centers and also each performs certain functions based on the manufacturing of a semiconductor integrated circuit. Integrated circuits are complex items that are designed and manufactured based on the input of highly skilled mechanical and electrical engineers. Accordingly, the design and manufacture of integrated circuits have unique methodology and problems associated therewith.

The invention of DUDLE et al. is a computer-based method for ordering items such as business forms, labels, diskettes, computer paper and other consumable business products. One of ordinary skill in the art that designs and/or manufactures integrated circuits would not look to a system of ordering consumable products as these items would not be reasonably pertinent to the integrated circuit manufacturing art.

MPEP §2141.01(a) states that to rely on a reference under 35 USC §103, it must be analogous prior art. "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned."

In re Oetiker, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992).

Applicants contend that DUDLE et al. are neither in the field of applicants' endeavor nor reasonably pertinent to the particular problem with which the inventor was concerned. Accordingly, DUDLE et al. are non-analogous art and should not be combined with DOLE to render obvious claims 2 and 3 of the present application.

Claims 4-6, 8-12, 15, 16, 23, 25 and 26 depend from one of claims 2 and 3 and further define the invention and are also believed patentable over the cited prior art.

In addition, even if the references are deemed combinable, claims 2 and 3 provide that the cost/number of days database contains data which has attributes of costs and the number of days in the fields of product types and urgency degrees of the semiconductor integrated circuit. By way of example, Figure 13 of the present application shows an example of cost/number of days database. As seen in Figure 13, the attributes associated with this database are that the cost increases based on how soon the customer needs the product. This is a manufacturing cost for producing the product, not a shipping cost.

As disclosed in column 1, lines 64-66 of DUDLE et al., a sales representative typically determines the sale price based on data in a pricing manual or available in the memory of a computer. DUDLE et al. do not disclose or suggest that the

pricing in the memory has attributes of costs and the number of days in the fields of product types and urgency degrees of a semiconductor integrated circuit as recited in claims 2 and 3.

In addition, claims 2 and 3 provide that the design/manufacture status database contains data representing statuses of ordering, releasing, designing, and manufacturing in fields of the client.

Column 6, lines 51-54 of DUDLE et al. indicated in the Official Action as providing support for the design/manufacture status database teaches that release orders are generated by sales representatives to order the release of finished goods inventory stored at storage facilities. Accordingly, the release data is not stored on the design/manufacture status database but is based on input from the sales representative.

Claims 2 and 3 further provide that each of the data-managing centers, the design centers and the manufacturing centers uses information contained in the databases of the data-managing center and performs two-way communication with the client. Further clarification of which passage or passages of DUDLE et al. teach or suggest this feature is respectfully requested. As set forth above regarding claim 1, DOLE does not disclose or suggest that each of the centers uses information contained in the database of the data-managing center or performs two-way communication with the client. The above-noted feature

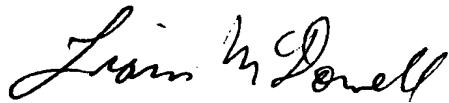
is missing from each of the references, is absent from the combination and thus is not obvious to one having ordinary skill in the art.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Liam McDowell, Reg. No. 44,231
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

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APPENDIX:

The Appendix includes the following item:

- a Replacement Sheet for Figure 16 of the drawings